

Message Text

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
-----112315 122030Z /70
O 122015Z JUL 78
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC IMMEDIATE 2508
INFO AMEMBASSY BONN IMMEDIATE
AMEMBASSY DAR ES SALAAM IMMEDIATE
AMEMBASSY GABORONE IMMEDIATE
AMEMBASSY LAGOS IMMEDIATE
USMISSION GENEVA IMMEDIATE
AMEMBASSY LIBREVILLE IMMEDIATE
AMEMBASSY LONDON IMMEDIATE
AMEMBASSY LUSAKA IMMEDIATE
AMEMBASSY MAPUTO IMMEDIATE
AMEMBASSY OTTAWA IMMEDIATE
AMEMBASSY PARIS IMMEDIATE
AMEMBASSY PRETORIA IMMEDIATE

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EXDIS

GENEVA FOR AMBASSADOR YOUNG

E.O. 11652: GDS
TAGS: PORG, SF, WA
SUBJECT: JULY 11 CONTACT GROUP REPORT FROM LUANDA

REF: USUN 2747

THE FRENCH HAVE PROVIDED US WITH THE FOLLOWING AGREED REPORT OF THE CONTACT GROUP JYLY 11 FROM LUANDA. (THE FRENCH EMBASSY IN WASHINGTON HAS ALSO PASSED THIS REPORT TO THE DEPARTMENT.)

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BEGIN AGREED REPORT.

1. IT EMERGED FROM TODAY'S DISCUSSIONS (JULY 11) THAT WALVIS BAY IS THE REAL STICKING POINT FOR SWAPO AND CONTRARY TO OUR HOPES THE FRONT LINE REPRESENTATIVES (SO FAR ONLY MKAPA AND CHONA) ARE NOT PREPARED TO SUPPORT OUR DRAFT RESOLUTION (REFTEL). IN THIS MORNING'S MEETING

NUJOMA ARGUED FROM THE SIMPLE PROPOSITION THAT WALVIS BAY IS PART OF NAMIBIA AND THAT THE SOUTH AFRICAN ANNEXATION WAS ILLEGAL. IT WAS THEREFORE INAPPROPRIATE FOR THE COUNCIL TO CALL ON NAMIBIA TO NEGOTIATE THE RETURN OF ITS OWN TERRITORY; INSTEAD THE COUNCIL SHOULD TAKE IT UPON ITSELF TO BRING ABOUT THIS RESULT.

2. IN THE AFTERNOON WE SUGGESTED TO MKAPA AND CHONA THAT WE SHOULD STICK WITH OUR DRAFT, LEAVING THE FINAL TEXT TO BE NEGOTIATED IN CONSULTATIONS IN NEW YORK BEFORE THE SECURITY COUNCIL MEETING. THEY REACTED NEGATIVELY AND, WHILE AGREEING THAT WALVIS BAY SHOULD BE KEPT SEPARATE, SAID WE SHOULD REVISE OUR DRAFT TO TAKE ACCOUNT OF CERTAIN SWAPO PREOCCUPATIONS. THE DRAFT SHOULD BE BASED ON POLITICAL AND NOT LEGAL CONSIDERATIONS. IT NEED NOT CONTAIN ANY STATEMENTS OBJECTIONABLE TO THE FIVE FROM A LEGAL POINT OF VIEW BUT ALSO IT SHOULD AVOID A REFERENCE TO NEGOTIATIONS WITH SOUTH AFRICA WHICH IMPLIED A LEGAL RIGHT FOR SOUTH AFRICA TO BE INVOLVED. THE SECURITY COUNCIL SHOULD BE GIVEN A MORE ACTIVE ROLE. MKAPA AND CHONA ALSO INSISTED ON A POSITIVE FORMULATION OF YOUR OPERATIVE PARASRAPH 1:

3. MKAPA AND CHONA INDICATED THAT, IF WE COULD MAKE A SERIOUS EFFORT TO MEET THEIR VIEWS ON THE WALVIS BAY RESOLUTION, WE COULD LEAVE IT TO THEM TO ENSURE SWAPO

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ACCEPTANCE OF THE EXISTING POSITION ON LOCATION OF TROOPS.

4. IN THE CIRCUMSTANCES AND GIVEN THE PRESSURE OF TIME, WE THOUGHT IT BEST TO PRODUCE A REVISED DRAFT AND PRESENT IT TO SWAPO. THE DRAFT (SEE PARA SIX) (BELOW) IS BASED ON THE DRAFT OF THE FIVE (REFTEL). THE FOURTH AND FIFTH PREAMBULAR PARAGRAPHS ARE ELIMINATED BECAUSE SWAPO OBJECTED TO BASING THE CASE ON FACTORS OTHER THAN SIMPLE AFFIRMATION. THE FIRST OPERATIVE PARAGRAPH IS NOW PHRASED POSITIVELY BUT DOES NOT SEEM TO US CHANGED IN SUBSTANCE. THE REMAINING PARAGRAPHS ARE AMENDED TO EXCLUDE A SPECIFIC REFERENCE TO NEGOTIATIONS, THE MANNER IN WHICH THE CHANGE IS TO BE BROUGHT ABOUT BEING LEFT DELIBERATELY VAGUE.

5. AT THIS EVENING'S MEETING (JULY 11), WE EXPLAINED WHY THE ORIGINAL SWAPO DRAFT (SEPTEL) CREATED INSURMOUNTABLE DIFFICULTIES FOR US. WE PRESENTED OUR REVISED DRAFT AS AN ATTEMPT TO MEET SWAPO OBJECTIONS EMPHASISING THAT IT HAD NOT BEEN ENDORSED BY OUR GOVERNMENTS AND THAT THEREFORE WE WERE NOT COMMITTED TO IT.

BEFORE READING IT NUJOMA DECLARED IT UNACCEPTABLE AND SAID SWAPO WOULD PRESENT ITS OWN DRAFT TO THE SECURITY COUNCIL. HOWEVER, HE LATER ASKED FOR AN ADJOURNMENT TO CONSIDER OUR TEXT (AND ALSO TO CONSULT THE FRONT LINE REPRESENTATIVES). WE SHALL MEET AGAIN AT 2200 HRS AND SHALL REPORT AGAIN THEREAFTER.

6. FOLLOWING IS THE REVISED RESOLUTION ON WALVIS BAY DRAFTED BY THE CONTACT GROUP JULY 11:

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
-----112416 122031Z /70
O 122015Z JUL 78
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC IMMEDIATE 2509
INFO AMEMBASSY BONN IMMEDIATE
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EXDIS

GENEVA FOR AMBASSADOR YOUNG

THE SECURITY COUNCIL

RECALLING ITS RESOLUTIONS 385 (1976) AND (1978),

REAFFIRMING IN PARTICULAR THE PROVISIONS OF SECURITY COUNCIL RESOLUTION 385 (1976) RELATING TO THE TERRITORIAL INTEGRITY AND UNITY OF NAMIBIA.,

TAKING NOTE OF OPERATIVE PARAGRAPH 7 OF GENERAL
ASSEMBLY RESOLUTION 32/9D WHICH DECLARED THAT WALVIS
BAY IS AN INTEGRAL PART OF NAMIBIA.,
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1. DECLARES THAT THE TERRITORIAL INTEGRITY AND
UNITY OF THE INDEPENDENT STATE OF NAMIBIA MUST BE ASSURED
THROUGH THE REINTEGRATION OF WALVIS BAY WITHIN ITS
TERRITORY.,

2. DECIDES TO LEND ITS FULL SUPPORT TO THE
INITIATION OF STEPS NECESSARY TO ENSURE EARLY AGREEMENT
ON THE REINTEGRATION OF WALVIS BAY AND INDEPENDENT
NAMIBIA.,

3. DECLARES THAT, PENDING THE ATTAINMENT OF THIS
OBJECTIVE WALVIS BAY MUST NOT BE USED IN ANY MANNER
PREJUDICIAL TO THE INDEPENDENCE OF NAMIBIA OR THE
VIABILITY OF ITS ECONOMY.,

4. DECIDES TO REMAIN SEIZED OF THE MATTER AND TO
KEEP UNDER REVIEW PROGRESS TOWARDS THIS END.

END REPORT.

LEONARD

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